

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF HUMAN SERVICES

**In the Matter of the Revocation of the
Child Foster Care License of Linda
Bowers**

**RECOMMENDATION ON
WITHDRAWAL OF APPEAL**

This matter was scheduled for hearing before Administrative Law Judge Steve M. Mihalchick on October 25, 2000. On October 23, 2000 Licensee Linda Bowers called the Administrative Law Judge and stated that she wished to withdraw her appeal and would not appear at the hearing. She noted that she had a conversation with Vicki Vial-Taylor, Assistant Hennepin County Attorney, and understood that the correctness of the disqualification of a household member could not be re-examined at the hearing and that the only issue was whether a disqualification existed. The information in the record previously filed by the County indicated that Licensee had requested reconsideration of the disqualification of her son and that the Commissioner of Human Services had affirmed the disqualification and refused to grant a variance to the disqualification. The Administrative Law Judge informed Ms. Bowers that she was correct that the disqualification itself could not be contested at the hearing and informed Ms. Bowers that the hearing would be cancelled.

Based upon Licensee's Withdrawal of her Appeal of the Revocation of her Child Foster Care License, the Administrative Law Judge makes the following:

RECOMMENDATION

IT IS HEREBY RESPECTFULLY RECOMMENDED:

That the Commissioner of Human Services DISMISS the Appeal of Linda Bowers and AFFIRM the Revocation of her Child Foster Care License.

Dated this 25th day of October, 2000.

STEVE M. MIHALCHICK
Administrative Law Judge

NOTICE

This Report is a recommendation, **not** a final decision. The Commissioner of Human Services, will make the final decision after a review of the record. The Commissioner may adopt, reject or modify the Findings of Fact, Conclusions, and Recommendations. Under Minn. Stat. § 14.61, the final decision of the Commissioner of Human Services shall not be made until this Report has been made available to the parties to the proceeding for at least ten days. An opportunity must be afforded to each party adversely affected by this Report to file exceptions and present argument to the Commissioner of Human Services. Parties should contact Michael O'Keefe, Commissioner of Human Services, 444 Lafayette Road, St. Paul, MN 55155 to ascertain the procedure for filing exceptions or presenting argument.